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AN
(CHANDLER, P.)
SUFFOLK

# MEETING OF THE SUFFOLK BAR

HELD AT

BOSTON, JUNE 7, 1889

## In Memory of

# PELEG WHITMAN CHANDLER

893760A

# PELEG WHITMAN CHANDLER.

Born in New Gloucester, Maine, April 13, 1816.

Died in Boston, Massachusetts, May 28, 1889.

# PROCEEDINGS.

AT a meeting of the Suffolk Bar, held June 7, 1889, in the Supreme Judicial Court-room, Boston, to take action in memory of the late Peleg W. Chandler, the Honorable John Lowell presided, and J. B. Richardson, Esq., Corporation Counsel, acted as Secretary. The proceedings were opened by George O. Shattuck, Esq., who said: —

"The Committee appointed to prepare resolutions to show the respect of the Bar for the memory of Peleg W. Chandler are now ready to report. I will ask Brother Thayer, the author of the Resolution, to read it."

## RESOLUTION OF THE BAR,

PRESENTED FOR THE COMMITTEE

BY PROFESSOR JAMES B. THAYER.

THE Bar of Suffolk County having met to take notice of the death of one of their oldest associates, the Honorable Peleg Whitman Chandler, adopt the following Resolution as a tribute to his memory: —

The death of Mr. Chandler takes from this Bar a powerful and remarkable man. Well born and bred, of the lineage that gave Chief-Justice Parsons to our bench, he brought to his chosen calling an inherited fitness for

its duties, a vigorous physical frame, energy, and a rugged courage, the sound principles and frugal and laborious habits of the old New England tradition, and an extraordinary sagacity, wit, good sense, and power of influencing men. With an outfit of technical knowledge and skill which commanded the respect of the bench, and made him, on purely legal questions, a formidable adversary at the bar, he was yet drawn, for the most part, by temperament and a sure instinct, into those fields of activity which bring a lawyer into close contact with men and their every-day affairs. Both physically and mentally he was cast in a large mould, and he had an unsurpassed command of the qualities which bring success, — the success which is honest and deserved, — in contests before a jury. In dealing also with the stubborn and conflicting elements of a difficult business negotiation, so as to bring men to an agreement without litigation, he had no superior at our bar. In these large regions of usefulness he brought to bear a remarkable knowledge of men, tact and power of persuasion, and a faculty for appreciating the just claims of an adversary which supplemented well his eager devotion to the interests of his client. He reflected deeply upon any business that he undertook, so that he knew in advance what he could yield and what he must at all hazards retain. He was a strenuous antagonist, matched only by the strongest. Often he had thought deeper and seen further than those with whom he was dealing, and advantages that had been honestly won in an open struggle he would seldom relinquish.

Mr. Chandler was much more than a lawyer. Admitted to the bar in 1837, he took an active part in public affairs for the first half of his professional life, serving as a member of the city government of Boston, of the State Legislature, and of the Executive Council. In all these places

# PELEG W. CHANDLER.

*(Reprinted from New-Jerusalem Magazine, for August, 1889.)*

THE decease of this noted Bostonian and well-known member of the New Church took place in Boston, May 28, 1889. He had reached the age of seventy-three, having been born in New Gloucester, Me., April 13, 1816. His father was a successful lawyer. Mr. Chandler graduated from Bowdoin College in 1834, studied law at Cambridge and in the office of Theophilus Parsons in Boston, and was admitted to the bar in 1837. He began practice at once and soon took a high position. He was also a reporter of cases for the press and a law writer. He had much to do with the city government and was also in the State legislature. He was noted for the power of his rhetoric before juries and was often matched with the most eminent legal opponents. Deafness came upon him in later life and gradually withdrew him from public work, but his mind was always active and a little work which he published anonymously on the "Authenticity of the Gospels" showed his love for spiritual truth. He frequently contributed to this MAGAZINE. Mrs. Chandler died in 1881. The sons Horace P. and Parker C. and a daughter Ellen M. are still living. The removal of Mr. Chandler called forth expressions of the high regard in which he was held. The "Boston Daily Advertiser" said in concluding a long review of his life, —

In the rapid summary of such a life, one finds that he served and influenced individuals and the community as only men of large gifts can. A discriminating industry, a wise perseverance, a quick seizure of opportunities, a noteworthy business shrewdness, a rare wit, a fine literary taste, an unwavering reverence for religious truths, a love of country which, in the war days, made his heart burn and his lips overflow with eloquence, a touching fondness for old scenes and old friends, a commanding position as an eminent citizen of Boston, leadership in bar contests, fruitful service of his college — who can wonder that his sturdy and masterly activities should be reckoned the record of a life fairly estimated as that of a great man? Such he will be counted, as his death is mentioned and mourned, wherever he served his generation.

The following tribute was read at the funeral by Rev. John Worcester : —

The lesson of no human life can be seen truly if the few years passed in the natural world are considered alone, and as an end in themselves. The beginning in this world, the eternity in the spiritual world, must be taken together, or neither can be understood. Evidently does this appear to be true of the life of the friend in memory of whom we are assembled here today. Mr. Chandler's natural abilities would have justified in him anticipations of the largest worldly success. Vigorous and full of spirits, with a quick and strong grasp of essential points, and unusual capacity for presenting them clearly and illustrating them, it would be no wonder if he felt himself equal to a position of eminent usefulness. But early in his public life there came over him a gradual closing of the sense of hearing, which was to him like an imprisoning of his faculties. He was shut out from public life, and his powers of service in it lay undeveloped. In a great degree he was debarred from social life also, of which he was fond ; and confined to what was for him a limited circle of friends, and a narrow range of business enterprise.

That this forcible restraint of his powers, and limitation of

his opportunities for development, caused him severe disappointment, was a thing of course; and if this were the whole, the story of his life would be sad. But there were compensations, which he felt and appreciated as such.

As long as this world is all, the things which seem desirable are the honors and the wealth of it; and the strength and enterprise and sagacity by which these are gathered and accumulated, are the traits of character most admired. But if we think of the eternal world, we remember that He Who taught us of heaven said, "Except ye be converted and become as little children, ye shall not enter into the kingdom of heaven. Whosoever therefore shall humble himself as this little child, the same is greatest in the kingdom of heaven." And we see that the desirable things of such a state consist not in honors and wealth, or even in conspicuous usefulness, but in the pleasure of being taught by the Lord like children, about heaven and the life of heaven, and the yet greater pleasure of living like children of God in kindness and purity of heart, and modest usefulness to our fellow-men, content with the Lord's Providence.

I speak of these things because they relate to a side of Mr. Chandler's character not very evident to the world, and yet very real, and important to a just understanding of his life; and because the infirmities, which so disappointed his natural hopes, undoubtedly served to increase his sense of dependence, and to develop his interest in the truth of spiritual life. He was a leader of men, clear in his sense of what should be done, strong in his will to execute. And to men who are confident in their strength among men, it is not easy to feel their weakness and dependence before God. Something of childlike humility there must be to recognize the Divine majesty in Him Who manifested the Father to men, and to appreciate the teaching of the Divine Spirit in the Word; for it is out of the mouth of babes and sucklings that just praise is perfected. And something of childlike humility he had, no

doubt greatly increased by the chastening which he learned to bear with so much patience.

He was remarkable for good sense; but his good sense was as clear in regard to spiritual things as in regard to natural; and this because interiorly he had so much humility. His strength among men did not deceive him as to his dependence upon God. There was in him no unwillingness to worship and to be taught. There was no inward arrogance to prevent his sense of justice from making just acknowledgment to the Divine. The Divine Presence and Providence were a reality to him. He was instructed by the Word of the Lord, and by the revelations that explain it, and considered those who can learn from it nothing of heaven and the heavenly life as foolishly if not wilfully blind. He was sure of continued life in the spiritual world, — so sure that it was a trial to him to recover from severe illness, and come back to his life of infirmity.

Such views and feelings as these were always a source of comfort and support to him. And if they were so even amid his natural trials, how shall we think of them now? If we may judge by what we have known of him, he would have us think of him now as altogether himself, only free from the troubles of the flesh; rejoicing in the companionship of the friends who have gone before, and with opportunity for that full development of all his powers, which was denied him here.

Doubtless the disappointments of the past now appear to him the most merciful, the richest in their fruitfulness, of all his blessings, — the means of opening his heart most widely to the happy influences of the heavenly world. And if he could send us a word of encouragement and warning, it would be that we should trust the Divine teaching of that which constitutes the kingdom of heaven, and seek first to become innocent and open-minded and obedient as little children.

he was easily a leader, and he contributed essentially to the success of some of the most important measures of his time. In the public journals he was a frequent and vigorous writer upon legal and political questions; and he made permanent contributions to literature in his volumes of Criminal Trials, his sketch of his friend, Governor Andrew, and his book upon the Authenticity of the Gospels. The strength of his religious sentiment was an interesting feature of his character. He was a benefactor and an ardent friend of Bowdoin College, his Alma Mater; and for the last eighteen years of his life he served on her Board of Trustees. In social intercourse Mr. Chandler was one of the most delightful of men, full of the sympathy and cheerfulness of a large nature, with an unsurpassed sense of humor and enjoyment of it in others, thoughtful, generous, rich in resources, widely read in the best literature of his native tongue, ready for any sort of discourse that interested his friend.

The calamity of deafness that fell upon him in middle life while he was in the full exhilaration of success and hope, was deeply felt. He had held with distinction the office of City Solicitor of Boston, and had attained a fame in his profession which seemed to mark him for a public career of even wider scope. But he was now gradually withdrawn from the fields of professional exertion to which he chiefly inclined, and where he had most excelled. He bore this heavy affliction with fortitude, and, retaining his cheerfulness and courage, turned to those quieter and less conspicuous paths of the law in which the remainder of his busy and useful life was passed.

## REMARKS

BY GEORGE O. SHATTUCK, ESQ.

MY acquaintance with Mr. Chandler began in 1856, when I became associated with him in the practice of the law; he was then forty years old. At the early age of twenty-two he established a law journal and won for it a high reputation; he had published his two volumes of American Criminal Trials; he had been a member of the Common Council of the City of Boston for several years, and had presided over its deliberations for two years; he had been a member of the General Court, in the House of Representatives, for three years, and of the Governor's Council for one year; he had been seven years City Solicitor of Boston, resigning at the age of thirty-seven. Out of these experiences in the practice of law, in legislation and journalism, he came with a strong grasp on legal principles and a mastery of the law of municipal corporations, an accurate knowledge of the administration of the City and of the State, and a clear and strong English style, and a habit of using it to impress his opinions upon the public. Besides these he had sound common sense, good judgment, sagacity, and a power of controlling men which was remarkable. He took a deep interest in public affairs. In fact, he had so identified himself with the welfare of Boston, that, if anything went wrong at City Hall, it seemed to him almost a personal grievance. With these qualities, without effort, he gained the confidence of men high in office, became to them an almost indispensable counsellor, and during the next ten or fifteen years was a power in the Common-

wealth. He was an intimate friend of Governor Andrew, who during the war frequently took his Sunday breakfast with Mr. Chandler, in order to have an opportunity to consult him upon the great questions of the time. Few transactions important to the City or the Commonwealth during those years were carried through without his co-operation. I refer not only to those matters in which he was retained and in which he acted as professional adviser, but to others which were purely of public interest. It is well known that he promoted the legislation and made the contracts which secured the Public Garden to the people of Boston, and conducted the difficult negotiations which led to the improvement of the Back Bay. But I will not attempt to enumerate the important transactions in which he was engaged.

In Mr. Chandler were combined to a rare degree many qualities which gave him a powerful influence. In dealing with individuals as a negotiator he was unrivalled. He formed his plans, he decided what he must concede and what he must hold, and he rarely failed to accomplish his purposes. In dealing with bodies of men, although he may not have been a finished orator, yet his personal force, his command of clear and strong English, his fund of homely maxims and illustrations full of wit and pathos, made him before juries and legislative bodies almost irresistible. His arguments upon questions of law were thoroughly prepared ; and while he did not neglect technical views, his great strength was shown in pressing considerations of expediency and justice. He had a full mind and a ready pen, and his published writings, which would fill volumes, are replete with strong sense and wisdom. Mr. Chandler was a wide reader. He read most of the novels of the day, and enjoyed the best of English literature. He was also a man of deep religious senti-

ments, and while wit and humor played upon the surface there was beneath a profoundly reverent spirit. He loved to dwell upon and to discuss the great problems of human destiny. He was a student of the Bible. In later life he wrote and published a book upon the Authenticity of the Gospels. But the most striking characteristic of Mr. Chandler — and it seemed to me at times to give a certain grandeur to the movement of his life after he came to Boston, although I know that that is a strong word — was his robust individuality. Under the influences of the men who there surrounded him, he undoubtedly became a stronger, a larger, and a wiser man. But his individuality was never warped or modified. Social, political, and religious influences swept against it, and it was not moved. It was founded upon a rock.

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## REMARKS

### BY THE HONORABLE E. R. HOAR.

I SHOULD have been sorry not to be present to join in any tribute to the memory of Mr. Chandler. His merits have been so fully and accurately stated in the Resolution offered for adoption, and in what has been said by the Chairman of the Committee, that there seems to be very little to add. I suppose that Mr. Chandler is, to most of the fifteen hundred or upward members of the Bar of Boston, a tradition, as far as they know anything about him. It seems almost like going into ancient history to speak of what he was. He was a native of Massa-

chusetts, born within a few weeks of the time of my own birth, in that part of the State which has since chosen to set up for itself; but he came back for his life-work to the old Commonwealth. And certainly there has been no man a member of the Suffolk Bar who has, within the sphere which was open to him and which he occupied, done more, in my judgment, to maintain the credit of the old State. It was once said by an eminent judge, that if a young lawyer married as soon as he was admitted to the bar, and ran in debt for a library, he would be sure to succeed. Mr. Chandler came to this Bar at the age of twenty-two, without property, without influential friends, without many acquaintances even in the city; he was married upon his admission to the Bar, and he started in this community — to take possession of it!

Elected as City Solictor of Boston, already having established a reputation as a lawyer, an advocate, an adviser, the editor of an influential legal publication, he had not been long thus connected with the city government, succeeding that eminent scholar and excellent man, the first City Solicitor, John Pickering, before he became practically the city government. He was not elected Mayor, but if you wanted to know what the Mayor could rightly do, what he ought to do, and what he probably would do, Mr. Chandler could pretty surely inform you. It seemed to me, as I knew him then, that he was practically Mayor, a majority of the Common Council, and nearly all the Board of Aldermen. He was thoroughly a public-spirited man and a public man from the time when he began life in this community, and his influence never ceased until the fifty-two years during which he was a member of the Bar were terminated by his death. In every public position that he filled, he learned all about those duties which appertained to that position, and understood them thor-

oughly thenceforth and forever. When he was chosen a member of the Legislature, and became a member of the Governor's Council, he learned the whole system and plan of the government of the Commonwealth of Massachusetts, and from that time until the day of his death nobody ever gave more counsel, nobody's counsel was more sought, and nobody gave safer or wiser counsel to those who administered the affairs of the State than he.

Mr. Chandler was a conservative man. He was familiar with the history of our State and country, and belonged by training, by disposition, by the character of his mind, to the older class of our public men. He was an old Whig, a very zealous and firm partisan, and remained a member of that party some time after the Anti-slavery movement had taken large possession of the people of Massachusetts. He was not early a leader at all in the Anti-slavery cause, and his sympathies were with the old Whigs. But when Charles Sumner was struck down on the floor of the Senate of the United States, when a public meeting was to be held, we may all remember that Peleg W. Chandler went down to Faneuil Hall, and in a voice that rang through the State and the country gave utterance to the sentiments of Massachusetts upon such an affront to her dignity as a State, although he was till then in no sense a political friend or supporter of Mr. Sumner.

I think that Mr. Chandler in his prime was the best jury lawyer of the Commonwealth, with perhaps the exception, which everybody must recognize in that relation, of Mr. Choate, — utterly different, of course. I saw in one notice of Mr. Chandler, that it was said that he made human nature a subject of careful study. I think that that is likely. But the fact was that he was full of it himself. There never was a knowledge of human nature

in addressing a jury manifested in this Commonwealth that surpassed that which he exhibited. He took possession of the jury. Wit, humor, anecdote, keen appreciation of every point, a knowledge of what every sort of man would be likely to think, and what would induce him to think as Mr. Chandler wanted he should, combined to produce this impression and effect. He was a good lawyer. Anybody who employed him might feel very sure that the law of the case was mastered. Any legal tribunal which listened to him heard a vigorous, clear, impressive statement of the law of his side of the case. I had the pleasure of being present at Washington (the first visit that I ever made to that city) when Mr. Chandler was admitted to the bar of the Supreme Court, and made his first argument in it on behalf of the city of Boston; and the comments that were made by the members of that tribunal upon that first appearance of a young man were as complimentary as his friends could desire. He was a large man, physically, mentally, and in character throughout. He was a warm and steadfast friend.

The Chairman of the Committee has spoken of the strength of his religious character and interests. Belonging to a religious connection the most mystic perhaps of any among us, the Swedenborgian Church, dealing with the interests at large of mankind, physical, material, pecuniary, with his rough and ready manner, this seems somewhat strange; but it is enough, perhaps, to mark what the man was in his inmost nature, to say that he was the beloved and the intimate friend of the sainted Ephraim Peabody, the late pastor of King's Chapel.

Mr. Chandler used, when a young man, to diversify his apparently sufficient employments, at a time when the lyceum in our country towns was a power in the com-

munity, by writing and delivering lyceum lectures; and among my most delightful memories and friendships, I can remember his more than once coming up to Concord, and staying with me, and lecturing on some interesting historical or other topic before our lyceum; and the night that followed is memorable for everything that wit and anecdote and good conversation can furnish.

With his endowments, with his industry, his achievements in the early part of his career promising, what I cannot doubt would have been the result, that he should be the foremost man of our City and of our Commonwealth, he suddenly, in the dispensation of Providence, fell under an affliction of almost total deafness, against which he struggled to preserve his professional career as long as it was possible. He was obliged first to give up arguments to juries, when he could not hear a word that was said by witnesses or opposing counsel. He made legal arguments some time after that, until he found that the remarks of the court or the incidental occurrences during the argument were so utterly beyond his comprehension that he thought he could not usefully follow that career. And it was then that I think he added to his claims for honor the exhibition of what I cannot characterize by any other name than heroism. Through the rest of his prolonged life, like Milton with his blindness, he "bated not a jot of heart or hope, but still bore up and steered right onward." Everything that he could do in public relations he still continued to do. He was never discouraged nor despondent. His wit, his social accomplishments, never forsook him. He had a foretaste of death for nearly three years before the final messenger came. Fully conscious of it, he met it with the full assurance of immortal life, and the full estimation and practice of all that belonged to him while he lived. He was

tender, mirthful, cheerful, up to the last hour, when he sunk into the sleep from which he did not awake.

He has left a memory, an incitement to the younger members of the Bar, which it is difficult to overestimate or overstate.

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## REMARKS

BY THE HONORABLE CHARLES THEODORE RUSSELL.

IT certainly is not necessary, and I hardly feel it is desirable, for me to add anything after what has already been so well and feelingly said in the tribute of respect we are paying to our loved and cherished friend. And yet, from my long acquaintance, and at some times intimate association with him, I cannot be wholly silent. I first knew Mr. Chandler when, in 1839, I came to the Suffolk Bar, where he had preceded me by two years. I became more intimately acquainted with him in 1844 and 1845, when we were serving together as Representatives from Boston in the Legislature. In 1853 we travelled together for six months in Europe, where our association was close, confidential, and intimate. It was just at that period that he began to be sensible of the infirmity from which he suffered during the rest of his life, and which at a later period withdrew him largely from both public and professional service. Its shadows were then darkening his prospects, but he bore up against them with all that cheerful resolution which was so marked a characteristic of his later years.

I have thus known Mr. Chandler intimately for a half-century — as citizen, lawyer, legislator, author, and friend, — and the longer I have known him the more I have esteemed and loved him. As a legislator, he was sagacious, considerate, careful, independent, — never wanting in a will of his own, and rarely failing in giving it reasonable scope and effect. As a citizen, he was loyal and patriotic, not effusive in profession, progressively conservative, not over-tolerant of what he regarded as visionary or impracticable, and not overburdened with sentimentality in business and practical affairs. He was wont to look at things as they were, and meet them as they came and demanded. I do not think he was much given to building air-castles, and as little to rearing air-dungeons. He took life practically, cheerfully, providently, and resolutely to the last degree.

As a lawyer, he was eminently, as in all else, practical. Notwithstanding his early pursuits as editor and author, and his close association with the most eminent legal writers of his time, he studied the law, not so much as a science as a practical administration of the affairs of men. He loved to trace its great principles, not so much in their workings through wheel and shaft and gearing, as at the spindle point, where they threw off their perfected thread into the woof and web of daily life. But I should be out of place to dwell further, in this presence, upon his characteristics as a lawyer.

It was as friend that I esteemed him best. It was my good fortune to meet him in his later years for several seasons at the summer resort where we both were accustomed to go. Here, suffering not only from the physical infirmity under which for a generation he had lived and wrought, but from others whose gathering shadows were clearly visible, he ever maintained his social characteristics, his interest in the old and young, and in all that made life

useful and agreeable. But best impressed upon my heart is a visit I made him at his own hospitable home in Brunswick, I think during the last season he spent there. I do not think I shall now disregard the rights of hospitality, or intrude on the sanctities of domestic life, if I close by reference to one scene there daily repeated, and which, as the ripened fruit of the mellowing autumn of life, has fixed itself in my memory as the dearest and sweetest remembrance of my long honored friend. Each morning, ere the day's duties and pleasures began, there gathered to his library the children, grandchildren, and inmates of his household, where

> "The priest-like father reads the sacred page,
> . . . . . .
> He wales a portion with judicious care,
> And 'Let us worship God,' he says, with solemn air."

The service was just that loving and attractive one which the long cherished and benevolent views of its conductor would lead us to expect, and the charm of which is only heightened as we see it through the gloom of death. Doubtless some of Mr. Chandler's views would have somewhat disturbed the theology of the Calvinistic Covenanters of Scotland, yet I do not doubt, and I am sure I felt on these occasions, I was witnessing a devotion as pure, sincere, fervent, and simple as that which Burns has made immortal in "The Cotter's Saturday Night." May I add, brethren, that if I were compelled to select from all my intercourse with Mr. Chandler but one scene to be cherished and remembered, I would take that of the summer morning prayer in his library at Brunswick.

## REMARKS

BY THE HONORABLE DARWIN E. WARE.

IN the death of Mr. Chandler a life that for many years was a power for good in this city and Commonwealth has come to a close. He was born in Massachusetts in the year 1816, in Maine, when Maine was a part of Massachusetts, and soon after graduating at Bowdoin College he came here and studied law. For a year he studied at the Harvard Law School under Story and Greenleaf; for another year in the office of his cousin, Theophilus Parsons, in this city, and thereupon he was admitted to the Bar of Suffolk County. Then he stormed out into life. His irrepressible energies were put forth on many lines of activity, all tending to give him familiarity with the administration of law and of public business, to bring him into intimate relations with men of large affairs, and to lay a broad foundation for the growth of an extensive professional practice. He reported for a leading newspaper the proceedings of the courts; he established and edited "The Law Reporter," the first law magazine published in this country; he joined the City Council; he wrote leaders for daily journals; he went to the Legislature; he became one of the Council of the Governor of the State; he lectured from the platform of the lyceum on historical and literary themes; he made political speeches in mass meetings of the people; he wrote books; and, as City Solicitor, he had charge of the law department of this city for several years. In a comparatively short time he was winning verdicts from juries, and judgments from courts, in the front rank of his chosen profession. He was himself not one, but a host. Men observing him

could not but see that here was a man who meant to have a hand and a voice in the affairs of the generation to which he belonged. This early promise was made good by the performance of his later years. He has been the leader in many important measures of public benefit. He was the chairman of the legislative committee that reported the act that gave to Boston her water supply, and carried the bill through the House of Representatives. He procured the legislation and conducted the negotiations for reconciling conflicting interests that inaugurated an improvement of waste flats, which has yielded to the State of Massachusetts, as its share in money and money value, four and a quarter millions of dollars. By his public spirit he saved the Public Garden for the purposes to which it is devoted. He, if any one, is entitled to be named as the founder of that new Boston which, during the last thirty years, has arisen on the territory of the Back Bay. As the funeral cortege that bore him to his place of rest at Forest Hills passed by the Public Garden, down Commonwealth Avenue, and in sight of Copley Square, I could not help appropriating to him the inscription in St. Paul's in honor of Sir Christopher Wren, the architect who built it: "Si monumentum requiris, circumspice."

Important as some of the transactions were in which Mr. Chandler has been engaged, his powers have always seemed to me out of proportion to the occasions that called them into exercise. He had abilities that would have found their most suitable field in the discussion of treaties for maintaining peace between nations, and in the general domain of statesmanship.

There have been few lawyers, if any, at this Bar, who have had a better, more numerous, or more loyal clientage. He stood so strong in his own strength and influence, that a client's relationship with him seemed almost to revive

the old Roman conception of dependence upon a person of rank and consideration for the courageous assertion of rights and the sheltering arm of power in defence.

I have been the witness of some of Mr. Chandler's forensic triumphs, but others are much more familiar with his methods and characteristics as a practising lawyer. He had been twenty years at the bar when I entered it, and my most intimate relations with him have been during the past fifteen years of his life, including the last few years of his practice before his retirement, if not from professional business, certainly from practice at the bar. No one, however, could have any professional relations with him without remarking his deeply pondering, cautious, far-reaching sagacity. Great as was his strength, he knew that the victory is best won that is gained with the least amount of force; that the race is not always to the swift, nor the battle to the strong. It is not without significance that the most politic of Homer's heroes was one who carried a bow that on a trial he alone could bend.

Two qualities, in particular, Mr. Chandler had, that made him an indomitable champion of a cause, and gave him the most formidable weapon in the armory of intellectual combat. He had an iron determination of will. He was not stubborn, but when, after full deliberation upon a matter, he had made up his mind, he could not be moved. He might be ground to powder, but his purpose would abide. No one could have any doubt about the finality of his position when he declared it. His will seemed to crystallize and harden into rock, and then it was clear that the end of discussion had come. "Stick, stick, stick, is the motto of this office," he once wrote to a discouraged, but afterwards exultant client. As regards the other quality referred to, if there is a sword Excalibur of debate, it is ridicule, and Mr. Chandler was the king

who wielded it. It is like lightning or magic in its operation. There is a flash, and what looked like the very citadel of truth tumbles in ruin. The finely marshalled array of fact and law and logic that seems to move on to conquest like an army with banners, is suddenly turned and put to confusion and rout. The faculty of turning into sport the serious contentions of an adversary is irresistible, and carries all before it. A deep sense of humor and a vivid imagination are essential elements of this power. Mr. Chandler had "the inextinguishable laughter of the gods." The comic aspects of life, whatever in incident or story excited mirth, from the broadest farce and caricature to the most delicate touches of humorous fancy, he not only enjoyed with a thorough relish, finding rest and recreation in them, but he used them with wonderful effect to controvert a fallacy, to expose an absurd or unreasonable claim, to destroy an abuse, or to overwhelm an opponent. But he used this power without malice or offensive personality. There is a humor that draws from the bitterness of gall, and a humor whose sources are not far from the fountain of tears. Mr. Chandler was essentially humane, and had an active sense of justice. From this cause, the most exuberant frolics of his wit had always a saving grace of just moderation. It has even happened that men who had felt in defeat the force of his railleries became afterwards his clients and friends.

The greatest feat of persuasive eloquence I ever witnessed in a deliberative assembly was performed by Mr. Chandler when a member of the Massachusetts House of Representatives in 1863. It gave a notable exhibition of his peculiar power, and illustrated his methods of carrying a measure. He desired to secure the passage of the act under which the State Board of Charities was established. Accordingly, in the early part of the session, when there

was scarcely any business to be done, he offered an order of inquiry by a committee into the expediency of such legislation, and addressed the House in favor of the adoption of the order. It was such an order as would usually be passed on the mere request of any member. It was unheard of that, at this stage, the House should be seriously addressed in favor of the bill it was desired that the committee to which the order was to go, should report. But the question had not been agitated, no controversy had arisen. Mr. Chandler knew that no one would reply to him, and that if he could have the whole field to himself, and convince the House in advance of sending the measure to the committee, his work was done. For two hours at least he enchained the attention of that body of men. He gave them facts, statistics, history, law, and reason. He gave them the eloquence of pathos, of protest and sympathetic appeal; but especially he gave them sport, and a plenty of it. Bursts of laughter, merriment, and applause were the responsive accompaniment of his speech from the beginning to the end, as he set forth and riddled with his wit the absurdities, the wasteful extravagance and injustice, of the system, or want of system, then existing in the administration of the State's charities. The House had been instructed, delighted, and convinced. Although the legislation sought threatened to interfere extensively with vested official interests, the prestige and influence of Mr. Chandler's speech carried the measure, when favorably reported by the committee, through both branches of the Legislature without a word of opposition. There was muttering and grumbling in the lobbies and corridors of the State House, but no one ventured to set himself against the swiftly setting tide of opinion this speech had put in motion. Mr. Chandler carried out his plan with just the result he had intended.

It would be the greatest mistake to suppose that this mirth-moving faculty of Mr. Chandler in any degree detracted from the earnestness, solidity, and weight of his character. None the less did he habitually measure himself and his conduct by the high standards of duty, and as regards religion, none the less was he sincerely devout. Nay, rather, notwithstanding the pain and suffering he endured for years, and the high hopes that were baffled and disappointed through physical infirmity suddenly coming upon him in mid-career, this resource kept his nature fresh, wholesome, sound as the sweet cool earth of spring. This instinct of humor was strong in him to the end. In the final hour of conscious life, before he fell into the peaceful sleep during which he breathed his last, this ruling trait of his mind did not fail. The light of laughter still beamed from his eyes and played about his smile. It was as though his unconquerable spirit would give the affront to death and the grave.

Mr. Chandler touched life on so many sides that I think of him more as a great citizen than in his special relation to our profession. He was built for no ordinary career. The intention of nature was manifest in his massive mould, his front of power, his countenance, full of benignant cheer.

He has gone to his rest, and his works do follow him. Remarkable as were his powers and successes, the most grateful things at this hour are the recollection of his virtues and the faith he had, which the wisest of the Greeks, about to die, declared to the tribunal which unjustly condemned him, saying, "Wherefore, O ye judges, be of good heart about death, for, of a certainty, no evil can happen to the good man."

## REMARKS

BY JOSHUA D. BALL, ESQ.

I DESIRE to add my tribute of respect to the memory of our departed friend. Only a few weeks ago we were called to perform the same sad duty at the bier of the Nestor of our Bar; and in so short a time death has commanded us to pause in the journey of life at the grave of one of his contemporaries, who, though much younger in years, in a well-spent and faithful life rounded out more than the threescore years and ten allotted to man. It was my good fortune to be a student in the office of Mr. Chandler. He was then located at No. 4 Court Street, and in the same building were the offices of Rufus Choate, Charles Sumner, Theophilus P. Chandler, John A. Andrew, and George S. Hillard, all of whom preceded him in the journey to their long home.

At this time, Mr. Chandler was in the prime and vigor of manhood. He held the office of City Solicitor, and although the duties of that office were not then as onerous as they are now, yet at the same time were they very great and exacting, and requiring constant care and attention. There was then no divided responsibility in the office. He had to engage in the trial of every cause in which the city was a party; he was responsible for the examination of the title to every foot of soil that was taken for streets, to every foot of soil that was purchased for school-houses and public purposes, and at the same time had to attend to a flood of cases which were ushered in upon the city by reason of the taking of the waters of Lake Cochituate. He was responsible for the management and conduct and care of all those causes. And yet,

in the multiplicity of these labors, while I was with him, he compiled and revised the Ordinances of the City of Boston, a work of no little magnitude.

Blessed with a robust constitution at that time, with untiring industry, he seemed to master the details of the facts and the law in every cause. And I venture here the assertion, that no lawyer ever entered a court-room more thoroughly equipped upon both the law and the facts than Mr. Chandler; and he certainly conducted every cause in which he was engaged with consummate skill and ability. With a strong will, with no half-way, but positive convictions, with a vein of humor running through his whole composition, he was most successful both before the court and jury. He never talked over the heads of the jury. He always appealed directly to them, and he had the faculty of bringing himself generally in harmony and in unison with the feelings of the jury whom he addressed. Defeat, when it did come, — but it did not come often, — always came with acquiescence and philosophy on his part, and seldom did I hear him criticise the decisions of the court. To his opponents he was fair, kind, courteous, and considerate, and yet inflexible in determination and in will. He seemed to work with a remarkable facility; he worked with little or no friction, and he always had time for a kind word and a genial smile. Mr. Chandler was certainly to be ranked among the leaders of the Bar. Whoever was to follow, he was to be one of the leaders; and by his ability and sagacity as a lawyer, by his faithfulness and devotion as a citizen and public servant, he has left an impress for good upon the community and generation in which he lived, and afforded an example well worthy of imitation by all.

But it is not merely as the great and the able lawyer, and the successful advocate, that I desire to think of Mr.

Chandler. I desire to think of him as the kind, genial, sympathetic friend. I desire to remember his kind words of encouragement and advice. I like to ponder upon the genial side of his nature, that side which touches the heart. I like to think of his deep and abiding friendship. I like to remember the whole-souled laugh which made sunshine wherever he was. And while pondering upon these commendable traits of character of our departed friend, let us hope, Mr. President, that that inscrutable thing which we call life, and that inscrutable thing which we call death, may be but the forerunners of a better and a brighter world beyond the grave.

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## REMARKS

### BY THE HONORABLE ROBERT R. BISHOP.

I HESITATE to speak; but, like our brother Ball, I am one in the list of those who have specially experienced the power of Mr. Chandler's influence, and who should not be silent on this occasion, — his students. His office was an attractive and famous one for students, and fortunate were the young men who came into its welcome. An entrance into Mr. Chandler's office as a student was the establishment of relations of generous interest on his part, which continued through life; and it was the beginning of a relation on the part of the student which gave him peculiar opportunity to see and understand something of the fulness of Mr. Chandler's power.

I am sure that no one of those whom he called his boys would think that he was able, in description, to do anything like justice to that life which, from day to day and from

month to month we saw him lead in the office. There were disclosed to us there, not merely the processes and the results of skilful legal work, but also the man, his motives, his character, the springs of his action; and it was these which made Mr. Chandler a hero to every one of his students, and will make him such to them so long as memory lasts. As revealed to us, Mr. Chandler, for one thing, was a man of intense enthusiasm in his work. But it was not an enthusiasm without reason. The tremendous force of his energy was matched by the great circumspection and care which he gave to every task that came to his hands; so that he embodied better than most men, better than any man whom I ever knew, that which has been called the highest requisite for success in affairs, a rare combination of courage and caution. And then he had faith in the success of the results he was striving for, and a genius for achieving them. It was from this quality that the litigation committed to his hands took the form, as it was wont to do, of aggressive action, instead of defensive; that he assumed in his cases, whenever possible, an aggressive position, instead of a defensive one; and from this came his favorite maxim to his students, "Always take the aggressive, never the defensive."

Mr. Chandler was a despiser of cant and sham and pretence, and the scorn and disdain with which he would excoriate a pretentious man was only equalled by the sympathy and heartiness with which he would encourage and assist any modest person who was striving decently to perform the tasks of the world. Any estimate of Mr. Chandler's character would be radically deficient that left out of the account the kindness and the help which he rendered to young men, whether in or out of his office, who were manfully trying to fight the battle of life; and many a man owes a debt of gratitude to Mr. Chandler for

first promotion, and for continued interest in subsequent successes, which he cannot express, but which he thinks of over his bier.

It was characteristic of such a nature as Mr. Chandler's to impress itself upon others, and to implant itself in the lives of others with whom he came in contact. The features of Cæsar still appear upon the Roman coin; and if those who have felt the personal influence of Mr. Chandler's power can carry out into the future something of his clearness of sight, something of his breadth of view, something of his tenacity of purpose, some of the great qualities of his heart and soul, they will not have come in plastic years under the moulding power of his hand in vain.

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## REMARKS

### BY THE HONORABLE WILLIAM L. PUTNAM, OF PORTLAND, MAINE.

IT has been my good fortune to be indebted to members of the Suffolk Bar for many kindnesses; and the great kindness of your Committee in offering me this opportunity to pay a tribute of respect and affection to the memory of Mr. Chandler is one which I cannot resist, although what I have to say is not well ordered. Mr. Chandler was born in a rugged, rural town, where the old New England ideas prevailed to a very late period; a town where lived Samuel Fessenden, Simon Greenleaf, Chief-Justice Weston, Chief-Justice Whitman, and others who might be named of equally striking character. It was therefore natural, it was therefore appropriate, that he should have had that breadth and fulness of character

which seems to me to have been the leading feature of his life.

It was my fortune to make his acquaintance late in life, under associations arising out of the government of Bowdoin College, where he graduated, to which he was always most faithful, and where he was a leading power from the time he became a member of the Board of Trustees. I first saw him when he had apparently withdrawn behind the door of his study; so that I feel I have studied his character uninfluenced by those considerations and those doubts which come from seeing one in active life. And when I hear the tributes which have been made to his memory by distinguished members of this distinguished Bar, I know, from my observation of him in this inner life, that not one iota is to be taken from all said here with reference to him.

This great breadth and fulness of his character were what enabled him to retain so strong an affection for that part of the old Commonwealth which is now the State of Maine, and yet always exhibit so great pride and fondness for the magnificent State of Massachusetts as it exists to-day. It was these which enabled him to devote, as it were, the later years of his life so earnestly to his Alma Mater, and yet interest himself so deeply as he did in all the institutions which were about him here in the city of Boston. It was these elements which justify all these gentlemen rising here and claiming to be, each of them, his friend. I never knew a man who was capable of attaching to himself,so many friends, and of attaching himself to so many friends, as he. And I know that those friendships were truthful; I know they were not put on for a purpose; I know they were not seeming. I know that, for all persons to whom he pretended to be a friend, he went down to the grave with the same honest, but the same

discriminating sentiments appearing in that Life of John A. Andrew which he has given to the world. No person can read that Life, and doubt the sincere friendship for him of Peleg W. Chandler; and no person could know Peleg W. Chandler as I knew him, and doubt his earnest and sincere regard for all this host of people, all this host of gentlemen, young and old, in all professions, who rise up and call him their friend.

The same breadth and fulness of character which enabled him, while having so strong a hold on this world, to reach out and grasp the next in the way in which he did, and which enabled him, in the little book to which my friend here alluded, to say that, if one could approach the investigation of the authenticity of the Gospels in a rational way, without fear, the result would only strengthen his belief.

Mr. President, Mr. Chandler combined with the powers of logic which supplement and put into activity our faith in fundamental principles, that deep faith which guides our logic. And these two together, Mr. President and Gentlemen of the Bar, these make common sense, and are common sense ; and therefore it was that he was a man of so much common sense. He reminds me, as I think of him, of one of those great modern ships which carries beneath its deck all the powers of propulsion human hands and human ingenuity can give, and above spreads a wide breadth of canvas to catch all the great air coming from beyond the terrestrial.

Mr. George Putnam then moved that the Resolution be adopted, and that it be presented to the

Court with the request that it be entered upon the records. The Resolution was then adopted. His Honor Mr. Justice Knowlton having taken his seat upon the bench, Mr. Shattuck said : —

At a meeting of the Suffolk Bar just held, they have given appropriate expression of respect and affection for the memory of the late Peleg W. Chandler. They have also considered the Resolution which has been adopted, and I have been requested to present it to the Court, and ask that it may be entered upon the records. With your Honor's permission, I will read the Resolution.

Mr. Shattuck then read the Resolution.

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## REMARKS

### BY JUDGE MARCUS P. KNOWLTON.

Brethren of the Bar:

MY practice of our profession was in a distant part of the Commonwealth, and I had no means of knowing our deceased Brother Chandler as you knew him. But through his public work, and through the reminiscences of his active life in which his friends so much delight, I seem to have been acquainted with him. His career, I think, illustrates at the same time the value of a multiplicity of gifts to the possessor of them, and the comprehensiveness of the law. The law touches humanity at every point where interests are at stake. Its

votaries should become familiar with the practical affairs of daily life. They should also study men, and learn what influences are oftenest potent, and what motives are commonly controlling with their fellows. Fortunate indeed are they when to a comprehension of the principles on which the law rests they add a quick perception of the opinions and purposes of others, a ready wit, and a clear and elegant style of expression. The law as a science is important only in its adaptation to the needs of society. He who would correctly expound or successfully apply it, no less than they who would wisely enact it, must look to results. He needs to know how others will be likely to regard a contemplated act or suggestion. To be prepared for the manifold exigencies of his professional life, he should have sounded the depths and explored the recesses of the human heart.

Peleg W. Chandler exhibited great versatility, and rendered valuable service in many fields of usefulness. As a writer and publisher, as a legislator first for his own City and afterwards for the whole Commonwealth, as an elected Councillor of the Governor, as the official professional adviser of the authorities of Boston, as a practitioner in the courts, and as an important factor in the social life of his adopted city, he filled out the measure of his days. It is fitting that we whose profession he adorned should suspend the business of the Court and devote the day to his memory.

Your Resolution will be recorded, and the Court will now adjourn.

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